

AMENDMENT TO THE CLAIMS:

This listing of claims will replace all prior version, and listings, of claims in the application:

Listing of Claims:

1. (Currently Amended) A method for fusing two adjacent bones or pieces of bone, the method comprising:

removably securing a distal end of an inserter to an adjustable fusion implant;

positioning ~~an~~ the adjustable fusion implant between two adjacent bones or pieces of bone;

expanding ~~a portion of a tool inserted within the fusion implant so as to expand~~ the fusion implant between the bones or pieces of bone; ~~and~~

~~removing the tool from within the expanded fusion implant~~

sliding a reinforcing member along the inserter so that the reinforcing member couples with the expanded fusion implant; and

disconnecting the inserter from the fusion implant.

2. (Original) A method as recited in claim 1, wherein the act of positioning comprises placing the adjustable fusion implant between two adjacent vertebrae.

Claims 3 and 4. (Cancelled)

5. (Currently Amended) A method as recited in claim 1, wherein the fusion implant has a first plate and an opposing second plate with a compartment formed therebetween, the method further comprising inserting a the reinforcing member between the first plate and the second plate after ~~the tool has been removed from~~ the fusion implant has been expanded.

6. (Currently Amended) A method as recited in claim 1, further comprising inserting ~~the~~ a portion of the a tool used to expand the fusion implant within the fusion implant prior to the act of positioning the adjustable fusion implant.

7. (Original) A method as recited in claim 1, further comprising at least partially packing the fusion implant with an osteogenic substance after the fusion implant is expanded.

8. (Currently Amended) A method for fusing two adjacent bones or pieces of bone, the method comprising:

removably securing a distal end of an inserter to an adjustable fusion implant;
positioning ~~an~~ the adjustable fusion implant between two adjacent bones or pieces of bone, ~~the fusion implant comprising a first plate and an opposing second plate; and~~
~~expanding a portion of a tool inserted between the first plate and the second plate of the fusion implant so as to expand the fusion implant between the bones or pieces of bone; and~~
~~removing the tool from the expanded fusion implant~~
sliding an expansion tool along the inserter so that at least a portion of the expansion tool is removably received within the fusion implant, the expansion tool being adapted to facilitate expansion of the fusion implant.

9. (Original) A method as recited in claim 8, wherein the act of positioning comprises placing the adjustable fusion implant between two adjacent vertebrae.

10. (Cancelled)

11. (Currently Amended) A method as recited in claim ~~10~~ 8, further comprising:

sliding a reinforcing member along the inserter so that the reinforcing member couples with the expanded fusion implant; and
disconnecting the inserter from the fusion implant.

12. (Currently Amended) A method as recited in claim 8, further comprising inserting a reinforcing member into the fusion implant ~~between the first plate and the second plate~~ after the expansion tool has been removed from the fusion implant.

13. (Currently Amended) A method as recited in claim 8, ~~further comprising inserting~~ wherein the portion of the expansion tool is inserted within the fusion implant prior to the act of positioning the adjustable fusion implant.

14. (Original) A method as recited in claim 8, further comprising at least partially packing the fusion implant with an osteogenic substance after the fusion implant is expanded.

15. (Currently Amended) A method for fusing two vertebrae, the method comprising:

mechanically interlocking an inserter to an adjustable fusion implant such that the inserter is temporarily fixed to the fusion implant;

positioning the adjustable fusion implant between two adjacent bones or pieces of bone;

expanding the fusion implant between the bones or pieces of bone;

coupling a reinforcing member to the expanded fusion implant using the inserter as a guide for the reinforcing member; and

disconnecting the inserter from the fusion implant.

~~forming a posterior opening through a back of a person so as to expose two vertebrae, the two vertebrae having a wedged shape gap formed therebetween that enlarges anteriorly toward a front of the person;~~

~~inserting an adjustable fusion implant through the posterior opening and into the gap formed between the vertebrae, the fusion implant having a wedge shaped configuration that enlarges from a proximal end to a distal end, the distal end of the fusion implant being inserted first into the gap formed between the vertebrae; and~~

~~expanding the fusion implant disposed between vertebrae such that the fusion implant maintains a wedge shaped configuration.~~

16. (Original) A method as recited in claim 15, wherein the act of expanding comprises:

expanding at least a portion of a tool within the fusion implant so as to selectively expand the fusion implant; and

removing the tool from within the fusion implant.

17. (Original) A method as recited in claim 16, further comprising inserting the portion of the tool within the fusion implant prior to the act of inserting the adjustable fusion implant.

18. (Currently Amended) A method as recited in claim 15, wherein the fusion implant has a first plate and an opposing second plate with a compartment formed therebetween, the method further comprising inserting a the reinforcing member between the first plate and the second plate after the fusion implant has been expanded.

19. (Original) A method as recited in claim 18, wherein the reinforcing member is inserted within the compartment of the fusion implant.

20. (Currently Amended) A method for fusing two adjacent bones or pieces of bone, the method comprising:

inserting an adjustable housing between two adjacent bones or pieces of bone, the housing at least partially bounding a compartment;

expanding the housing between the bones or pieces of bone; ~~and~~

at least partially packing a cavity of a reinforcing member with an osteogenic substance; and

sliding a the reinforcing member packed with the osteogenic substance ~~of a predetermined shape~~ into at least a portion of the compartment of the housing after expansion of the housing.

21. (Original) A method as recited in claim 20, wherein the act of expanding comprises:

expanding at least a portion of a tool within the housing so as to selectively expand the housing; and

removing the tool from within the housing.

22. (Currently Amended) A method as recited in claim 20, further comprising removably securing a distal end of an inserter to the housing ~~such that at least a portion of the inserter is disposed within the compartment of the housing~~, the inserter being secured prior to the act of inserting.

23. (Currently Amended) A method as recited in claim 20 22, wherein the act of sliding the reinforcing member comprises:

advancing a tubular push rod over a proximal end of the inserter; and

moving the push rod along the inserter so that the push rod advances the reinforcing member into at least a portion of the compartment.

24. (Currently Amended) A method as recited in claim 20 22, wherein the act of sliding the reinforcing member comprises:

removably connecting a distal end of a tubular push rod to the reinforcing member; and

~~advancing the reinforcing member and tubular push rod over a proximal end of the inserter; and~~

moving the push rod along the inserter so that the push rod advances the reinforcing member into at least a portion of the compartment.

25. (Currently Amended) A method as recited in claim 24, further comprising:

removing the inserter ~~from within the push rod~~; and

delivering bone graft through the tubular push rod and into the compartment.

26. (New) A method as recited in claim 1, wherein the fusion cage is expanded by removably inserting a tool within the fusion cage.

27. (New) A method as recited in claim 1, wherein a push rod is removably connected to the reinforcing member prior to sliding the reinforcing member along the inserter.

28. (New) A method as recited in claim 8, wherein at least a portion of the inserter is threadedly connected to the fusion implant.

29. (New) A method as recited in claim 8, further comprising expanding the portion of the expansion tool within the fusion implant.

30. (New) A method as recited in claim 8, wherein the fusion implant is expanded when the expansion tool is received within the fusion implant.

31. (New) A method as recited in claim 15, wherein mechanically interlocking an inserter to an adjustable fusion implant comprises threadedly connecting at least a portion of the inserter to the fusion implant.

32. (New) A method as recited in claim 15, wherein the fusion implant is expanded by inserting an expansion tool within the fusion implant.

33. (New) A method as recited in claim 15, further comprising removably connecting a push rod to the reinforcing member prior to coupling the reinforcing member to the expanded fusion implant.

34. (New) A method as recited in claim 33, further comprising threadedly connecting the push rod to the reinforcing member.

35. (New) A method as recited in claim 33, further comprising using the push rod to slide the reinforcing member along the inserter.

36. (New) A method as recited in claim 15, further comprising packing the reinforcing member with an osteogenic substance prior to coupling the reinforcing member to the fusion implant.